

1 Sharon Elaine Bess (CONS/P)

Case No. 0241225

Conservator Christian, Elsie J. (Pro Per)

Probate Status Hearing Re: Possible Removal of Conservator

Age: 56	ELSIE J. CHRISTIAN , sister, was appointed Successor Conservator of the Person, with medical consent powers on 12/19/2014.	NEEDS/PROBLEMS/COMMENTS:
	Letters issued on 12/23/2014.	
Cont. from	<u>Please see file for details</u>	
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

Reviewed by: LV
Reviewed on: 01/20/2016
Updates:
Recommendation:
File 1- Bess

Petitioner Gonzales, Ramona (pro per – guardian/maternal grandmother)
 Petitioner Bouhaben, Kenda L. (pro per – mother)

Petition for Appointment of Temporary Guardian of the Person

Gabriel, 9		<u>GENERAL HEARING: 02/18/16</u>		NEEDS/PROBLEMS/COMMENTS:	
		RAMONA GONZALES, maternal grandmother, is Petitioner.		This Petition is regarding Gabriel only. Petitioner was appointed Guardian of Anthony on 04/05/04. <u>CONTINUED FROM 01/07/16</u> 1. Need proof of personal service at least 5 court days before the hearing of <u>Notice of Hearing</u> with a copy of the <u>Petition for Appointment of Temporary Guardian of the Person</u> or Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for: a. Kenda Bouhaben (mother) Note: she was present at hearing on 01/07/16 and has filed an objection/answer; however, no proof of service has been filed indicating that she was personally served	
		Father: DANNY BARRERA – personally served on 12/23/15			
Cont. from 010716		Mother: KENDA BOUHABEN			
	Aff.Sub.Wit.	Paternal grandparents: DECEASED			
✓	Verified	Maternal grandfather: TONY GUTIERREZ			
	Inventory	Siblings: DANIEL BARRERA, JR., EDWARD BARRERA, SANDRA BARRERA			
	PTC	Petitioner states [see file].			
	Not.Cred.	Answer to Petition for Appointment of Temporary Guardian of the Person filed 01/04/16 by Kenda Bouhaben (mother) states: [see file].			
✓	Notice of Hrg	Court Investigator Charlotte Bien filed a report on 01/14/16.			
✓	Aff.Mail	w/			
	Aff.Pub.				
	Sp.Ntc.				
✓	Pers.Serv.	w/			
✓	Conf. Screen				
✓	Letters				
✓	Duties/Supp				
	Objections				
	Video Receipt				
	CI Report				
	9202				
✓	Order				
	Aff. Posting				
	Status Rpt				
✓	UCCJEA				
	Citation				
	FTB Notice				
				Reviewed by: JF	
				Reviewed on: 01/20/16	
				Updates:	
				Recommendation:	
				File 2A- Berrera & Barrera	

Petitioner Gonzales, Ramona (pro per – guardian/maternal grandmother)
 Petitioner Bouhaben, Kenda L. (pro per – mother)

Petition for Termination of Guardianship

Anthony, 13	KENDA BOUHABEN, mother, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: This petition pertains to Anthony only. 1. Need proof of service by mail at least 15 days before the hearing of Notice of Hearing with a copy of the <i>Petition for Termination of Guardianship</i> <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for Tony Gutierrez (maternal grandfather).
Cont. from		
Aff.Sub.Wit.		
✓ Verified		
Inventory		
PTC		
Not.Cred.		
✓ Notice of Hrg		
✓ Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
✓ CI Report		
9202		
✓ Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
	RAMONA GONZALES, maternal grandmother, was appointed guardian of Anthony Barrera on 04/05/04. – served by mail on 11/23/15 Father: DANNY BARRERA – Consents and Waives Notice Paternal grandparents: DECEASED Maternal grandfather: TONY GUTIERREZ Petitioner states [see file for details]. Objection to Termination of Guardianship filed 12/31/15 by Ramona Gonzales (Guardian) states: [see file for details]. Court Investigator Charlotte Bien filed a report on 01/14/16.	
		Reviewed by: JF Reviewed on: 01/20/16 Updates: Recommendation: File 2B- Berrera & Barrera

3 Adriana Michelle Aguilar (GUARD/P) Case No. 04CEPR00848

Petitioner/mother: Yolanda Aguilar (pro per)

Guardian/maternal grandfather: Roman Aguilar (pro per)

Guardian/maternal grandmother: Yolanda Aguilar (pro per)

Petition for Termination of Guardianship

		YOLANDA AGUILAR , mother, is petitioner. Please see petition for details. Court Investigator Report filed on 11/10/15.	NEEDS/PROBLEMS/COMMENTS: 1. Notice of Hearing is incomplete at #1. Who the filing party is and what has been filed. 2. Proof of service of the Notice of Hearing is incomplete. It fails to list the name and address of the person serving the documents at #6 and whether or not the Notice of Hearing was served with a copy of the petition at #3. Therefore still need proof of service of the Notice of Hearing on: a. Roman Aguilar (Guardian/maternal grandfather) b. Yolanda Aguilar (Guardian/maternal grandmother) c. Adriana Aguilar (minor) Reviewed by: KT Reviewed on: 1/20/16 Updates: Recommendation: File 3 – Aguilar	
Cont. from 113015				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input type="checkbox"/>	Notice of Hrg			X
<input type="checkbox"/>	Aff.Mail			X
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input checked="" type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input type="checkbox"/>	Order	X		
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			

Petition for Termination of Guardianship

Age: 17	NATALIE GONZALEZ , mother, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: <u>CONTINUED FROM 11/30/15</u> As of 01/20/16, nothing further has been filed and the following notes remain: 1. Need Notice of Hearing. 2. Need proof of service by mail at least 15 days before the hearing of <i>Notice of Hearing</i> <u>or</u> Declaration of Due Diligence <u>or</u> Consent & Waiver of Notice for: a. Jesus Rosales (father) b. Paternal grandfather c. Sandra Romero Crane (guardian/maternal grandmother) d. Maternal grandfather
	SANDRA ROMERO CRANE , maternal grandmother, was appointed guardian on 11/16/1999.	
Cont. from 113015		
<input type="checkbox"/> Aff.Sub.Wit.	Father: JESUS ROSALES	
<input checked="" type="checkbox"/> Verified	Paternal grandfather: NOT LISTED Paternal grandmother: DECEASED	
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC	Maternal grandfather: NOT LISTED	
<input type="checkbox"/> Not.Cred.	Petitioner requests [see file].	
<input type="checkbox"/> Notice of Hrg x	Letter from Guardian [see file].	
<input type="checkbox"/> Aff.Mail x	Court Investigator Charlotte Bien filed a report on 11/06/15.	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input checked="" type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		Reviewed by: JF
<input type="checkbox"/> Status Rpt		Reviewed on: 01/20/16
<input type="checkbox"/> UCCJEA		Updates:
<input type="checkbox"/> Citation		Recommendation:
<input type="checkbox"/> FTB Notice		File 4 – Rivas

First Amended Waiver of Accounting and Petition for Final Distribution under Will and for Allowance of Statutory Fees and Commissions

DOD: 3/7/06	HAL B. HAVLISCH , Executor with Full IAEA without bond, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: <p style="text-align: center;"><u>OFF CALENDAR</u></p> <p>Final Account filed 1/11/16 is set for hearing on 2/23/16</p>
Cont from 092115, 113015	Note: Petitioner filed this Amended Petition in pro per on 8/7/15 and the matter was set for hearing on 9/21/15.	
Aff.Sub.Wit.	On 9/15/15, a Substitution of Attorney was filed reflecting that Petitioner is now represented by Edward L. Fanucchi.	
Verified		
Inventory		
PTC		
Not.Cred.	Mr. Fanucchi filed a status report on 9/15/15 stating that after reviewing the Amended Petition filed 8/7/15, it appears there are several issues that need to be corrected and/or addressed. Mr. Fanucchi requested continuance to 11/30/15	
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen	Status Report filed 11/24/15 requests an additional 60 days to allow time to further amend the petition.	
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: skc
		Reviewed on: 1/20/16
		Updates:
		Recommendation:
		File 5 - Muhley

Status Hearing

DOD: 10-7-06		<p>DORIS ELAINE RACKLEY, Sister, was appointed Administrator with Full IAEA without bond and Letters issued on 8/28/07.</p> <p>On 11/15/13, the Court removed Doris Rackley and appointed the PUBLIC ADMINISTRATOR.</p> <p>Status report filed 9/25/15 states Irene's estate cannot be closed until Herbert's closes. The hearing on Herbert's estate was continued to 11/16/15. The Public Administrator anticipates distribution of the property in kind from Herbert's estate and the interest sold in Irene's estate.</p> <p>The PA respectfully requests the next status hearing be set no sooner than four months from the date of this hearing to allow time for administration after distribution from Herbert's estate.</p> <p>Status report filed 1/22/16 states the PA had hoped to have the account filed in Herbert Hamby's estate, but has further issues to resolve. The PA requests that the next status hearing be set no sooner than four months from the date of this hearing.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need petition for final distribution.</p>
Cont. from 111513, 022114, 061314, 092914, 033015, 092815			
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		<p>Reviewed by: skc</p> <p>Reviewed on: 1/20/16</p> <p>Updates: 1/22/16</p> <p>Recommendation:</p> <p>File 6 – Hamby</p>	

Atty Kruthers, Heather (for Public Administrator)

Atty Rackley, Elaine (Pro Per Administrator with Will Annexed)

Probate Status Hearing for Failure to File a First Account or Petition for Final Distribution

DOD: 9-6-05	<p>DORIS ELAINE RACKLEY, Daughter, was appointed as Administrator with Will Annexed with Limited IAEA without bond and Letters issued on 8-28-07.</p> <p>On 11-15-13, the Court removed Ms. Rackley and appointed the PUBLIC ADMINISTRATOR.</p> <p>Status Report filed 11/4/15 states the Public Administrator has been delayed due to outstanding balances due the IRS for prior tax years. The PA's CPA received the IRS and FTB transcripts, and after reviewing them, determined that the tax returns from 2001-2005 needed to be prepared. The 1999 and 2000 taxes were written off by the IRS and FTB. The accountant has completed the individual federal and state returns from 2003-2005 and is finalizing 2001 and 2002. It is anticipated these will be completed soon. It is respectfully requested that the next status hearing be set for 60 days from the date of this hearing.</p> <p>Status report filed 1/22/16 states the PA had hoped to have the account filed, but has further issues to resolve. The PA requests that the next status hearing be set no sooner than four months from the date of this hearing.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Minute Order 11/16/15:</u> Counsel reports that they are waiting on information from the FTB.</p> <p>1. Need petition for final distribution.</p>
Cont. from 092013, 111513, 022114, 061314, 092914, 033015, 060115, 072715, 092115, 111615		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
	<p>Reviewed by: skc</p> <p>Reviewed on: 1/20/16</p> <p>Updates: 1/22/16</p> <p>Recommendation:</p> <p>File 7 – Hamby</p>	

Second and Final Account and Report of Conservator; Petition for Allowance of Compensation to Conservator and Her Attorney; and Distribution

DOD: 02/02/15		PUBLIC GUARDIAN , Conservator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: <u>CONTINUED FROM 11/30/15</u>
		Account period: 07/18/09 – 02/02/15	
		Accounting: \$271,022.12	
		Beginning POH: \$41,587.86	
		Ending POH: \$87,470.73	
Cont. from 113015		Subsequent account period: 02/03/15 – 09/30/15	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	w/	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	2620(c)	n/a	
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		

Accounting: **\$92,028.70**
Beginning POH: **\$87,470.73**
Ending POH: **\$29,186.77**

Conservator: **\$4,884.96** (27 staff hours @ \$76/hr. and 29.51 Deputy hours @ \$96/hr.)

Attorney: **\$2,500.00** (less than allowed per Local Rule)

Bond Fee: **\$437.82** (ok)

Costs: **\$435.00** (filing fees)

Petitioner states that the conservatee died intestate. Petitioner requests authority to distribute the remaining assets to conservatee's two daughters in equal shares. Each daughter will receive \$10,464.50. In the event the whereabouts of the heirs are not known, Petitioner requests authorization to deposit any remaining balance of funds with the Fresno County Treasury pursuant to Probate Code § 11850(a).

Petitioner prays for an Order:

1. Approving, allowing and settling the second and final account;
2. Authorizing the conservator and attorney's fees and commissions;
3. Authorizing payment of the bond fee and costs;
4. Authorizing distribution of the balance of property on hand as set forth above and in the event the whereabouts of the heirs are not known, the Court authorize petitioner to deposit any remaining balance of funds with the Fresno County Treasury pursuant to Probate Code § 11850(a).

Reviewed by: JF
Reviewed on: 01/20/16
Updates:
Recommendation:
File 8 - Mugridge

Petition for Termination of Guardianship

Age: 8	KRYSTAL SALVADOR , mother, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: <u>CONTINUED FROM 11/16/15</u> As of 01/20/16, nothing further has been filed and the following notes remain: 1. Need <i>Notice of Hearing</i> . 2. Need proof of service by mail at least 15 days before the hearing of <i>Notice of Hearing</i> <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for: a. Alicia Ann Bradshaw (guardian) b. Mark Thompson, Jr. (father) c. Mark Thompson, Sr. (paternal grandfather) d. Paternal grandmother (unknown)
Cont. from 111615		
Aff.Sub.Wit.	Father: MARK THOMPSON, JR.	
✓ Verified	Paternal grandfather: MARK THOMPSON, SR.	
Inventory	Paternal grandmother: UNKNOWN	
PTC		
Not.Cred.		
Notice of Hrg	x Maternal grandparents: DECEASED	
Aff.Mail	x Petitioner requests [see file].	
Aff.Pub.		
Sp.Ntc.	Court Investigator Jennifer Daniel filed a report on 11/06/15.	
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
✓ CI Report		
9202		
✓ Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: JF
		Reviewed on: 01/20/16
		Updates:
		Recommendation:
		File 9 – Salvador

Attorney Hiyama, Dean (for Carol M. Smiley – Petitioner – Conservator)

**Second Account and Report of Conservator, Petition for Allowance of Fees to
Conservator and Attorney's Fees and for Increase in Bond Amount**

Age: 91	CAROL M. SMILEY , niece and Conservator of the Person and Estate, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Need proof of service of Notice of Hearing per Probate Code § 1460(b) (2) on the conservatee, Belmira V. Williams. 2. Current bond on file is \$216,608.00. The first account ordered the bond increased to \$671,801.12 on 11/08/2015 however a receipt of bond in that amount was never filed. Need increased to \$567,900.64 for a total bond of \$784,508.65. 3. It appears that there is an outstanding fee of \$365 from 10/01/2015 for Court Investigation fees. 4. Accounting includes interest on the various EE series bonds. Unless the bonds are cashed the bonds should be accounted for at their carry value and the interest thereon is not reported. 5. Need clarification as to rental income. Each month rental income appears to vary between \$900 and \$1,100. <u>Please see additional page</u>
Cont. from	Account period: 8/01/2012 - 07/31/2014	
Aff.Sub.Wit.	Accounting - \$757,055.22	
<input checked="" type="checkbox"/> Verified	Beginning POH - \$607,684.80	
Inventory	Ending POH - \$634,697.50 (\$134,885.31 is cash)	
PTC	Conservator - \$720.00 (per itemization in Exhibit B, for 48 hours @ \$15/hour)	
Not.Cred.	Attorney - \$3,415.12 (per declaration and itemization, for 28.5 hours @ \$250 attorney rate and \$110 assistant rate)	
<input checked="" type="checkbox"/> Notice of Hrg	Bond - \$216,608.00 (insufficient)	
<input checked="" type="checkbox"/> Aff.Mail w/	Petitioner requests bond be increased pursuant to Probate Code § 2320(c) due to the appraised value of the Conservatee's assets being more than projected; Petitioner requests the Court order an additional bond in the amount of \$134,806.88 to bring the total amount of bond to \$590,000.00 . See Examiner Note #2	
Aff.Pub.	Petitioner prays for an order:	
Sp.Ntc.	1. Approving allowing and setting the First Account;	
Pers.Serv.	2. Authorizing the Conservator and Attorney fees and commissions; and	
Conf. Screen	3. Increasing the bond and ordering Conservator to file additional bond of \$134,806.88 for a total bond of \$590,000.00 .	
Letters		
Duties/Supp		
Objections		
Video Receipt		
<input checked="" type="checkbox"/> CI Report		
9202		
<input checked="" type="checkbox"/> Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: LV
		Reviewed on: 01/21/2016
		Updates:
		Recommendation:
		File 10- Williams

6. Accounting lists Retirement Pension Check in the amount of \$1,848.87 for the months of August, September, October, November and December of 2012 however each month thereafter the Retirement Pension Check is \$1,882.87, a decrease of \$34. The Court may require clarification.
7. Accounting lists SSA check in the amount of \$439 for the months of August, September, October, November and December of 2012 however each month thereafter the SSA check is \$308, a decrease of \$131. The Court may require clarification.
8. Accounting lists various transfers between Wells Fargo accounts, pursuant to Probate Code 1063(b) if there were purchases or other changes in the form of assets occurring during the period of the account, there shall be a schedule showing these transactions. However, no reporting is required for transfers between cash or accounts in a financial institution or money market mutual funds.
9. Petition requests attorney fees in the amount of \$3,415.00 however the prayer of the petition requests attorney fees in the amount of \$3,290.00. Need clarification.
10. Attorney is requesting fees in the amount of \$3,415.00 however the Declaration of Attorney Dean Hiyama in Support of Request for Fees does not comply with Cal. Rules of Court, Rule 7.751(b) and 7.702 for instance the nature and difficulty of the tasks performed, qualification of the paralegal, describe the services rendered in sufficient detail to demonstrate the productivity of the time spent.

Note: Order has been interlineated to reflect the correct bond amount.

Note: Court will set status hearings as follows:

- **Monday, February 22, 2016** at 9:00 a.m. in Dept. 303, for filing proof of increased bond;
- **Monday, January 22, 2018** at 9:00 a.m. in Dept. 303, for third accounting.

Pursuant Local Rule 7.5, if the documents noted above are filed 10 days prior to the dates listed, the hearings will be taken off calendar and no appearance will be required.

Probate Status Hearing RE: Settlement

	GERALD ISHII , Beneficiary and Co-Trustee, filed Petition of Beneficiary to Remove Successor Co-Trustees, Appoint Temporary Successor Trustee, and for Payment of Attorneys' Fees and Costs on 5/17/12. The petition was set for hearing on 7/2/12.	NEEDS/PROBLEMS/COMMENTS:
Aff.Sub.Wit.	LESLIE ISHII , Beneficiary and Co-Trustee, filed Objection on 6/21/12.	
Verified		
Inventory		
PTC		
Not.Cred.	The hearing on 7/2/12 was continued numerous times, and after numerous status and settlement hearings, at the settlement conference hearing on 1/5/15, the parties represented that they are working on agreement, and the Court set this status hearing re the agreement for 4/13/15.	
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.	The status hearing re the agreement was then continued to 4/13/15, 7/13/15, and finally 10/19/15. On 10/19/15, the Court set an Order to Show Cause hearing for 11/30/15 as to Gerald Ishii as to why he should not be removed as co-trustee for failure to resolve the matter and to Edward L. Fanucchi as to why he should not be sanctioned for his failure to appear.	
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections	Minute Order 11/30/15 states The agreement has been forwarded to Ms. Burnside, who needs additional time to review it. The orders to show cause are vacated.	
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting	Status Declaration of Leigh W. Burnside filed 1/21/16 states she sent a revised draft agreement to Mr. Kelly for review on 12/1/15. She subsequently learned of additional changes and sent a further revised draft on 12/29/15. Mr. Kelly responded on 1/13/16 that his client did not have substantive changes but they were waiting on additional input from the accountant. Likewise, Ms. Burnside is also waiting for additional information from her client's accountant regarding a proposed easement that the parties have apparently discussed. She believes the remaining issues are not substantial and the agreement is in close-to-final form.	
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

Reviewed by: skc
Reviewed on: 1/20/16
Updates: 1/21/16
Recommendation:
File 11- Ishii

Petitioner/Guardian: Gina Vasquez (pro per)

Petition for Termination of Guardianship

		GINA VASQUEZ , Guardian, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Please see petition for details.	
		Court Investigator Jennifer filed on 11/19/15	Continued from 11/30/15. As of 1/20/16 the following issues remain:
Cont. from 113015			
	Aff.Sub.Wit.		<ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of service of the Notice of Hearing on: <ol style="list-style-type: none"> a. John Duran (father) b. Jasmine Cabral (mother) c. John Duran (paternal grandfather) d. Cindy Carrillo (paternal grandmother)
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg	X	
	Aff.Mail	X	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
✓	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: KT
			Reviewed on: 1/20/16
			Updates:
			Recommendation:
			File 12 – Duran

13 Michael Josiah Robles (GUARD/P) Case No. 13CEPR00697

Guardian Robles, Joe (Pro Per – Paternal Grandfather)
Guardian Robles, Sharon (Pro Per – Paternal Grandmother)
Mother Williams-Ditto, Christina (Pro Per)

Probate Status Hearing RE: Visitation

Age: 6	JOE ROBLES , and SHARON ROBLES , paternal grandparents, were appointed guardians on 10/10/2013. Letters issued on 10/10/2013.	NEEDS/PROBLEMS/COMMENTS: Need Court Investigator's Report.
Cont. from	CHRISTINA WILLIAMS-DITTO , mother, filed a Petition for Termination of Guardianship on 05/12/2015. It was heard on 07/13/2015.	
Aff.Sub.Wit.		
Verified		
Inventory	Minute Order of 07/13/2015 set this Status Hearing re: Visitation.	
PTC	Minute Order states: The Court orders over night visitation for Christina Williams every Thursday from 6pm through Sunday at 6pm, starting 07/16/2015. The order that Michael Robles not reside anywhere that the minor is living remains in full force and effect. Ms. Hopper will submit a visitation order.	
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.	SHARON ROBLES , co-guardian, filed a Petition for Modification of Visitation on 10/05/2015. It was heard on 11/17/2015.	
Conf. Screen	Minute Order of 11/17/2015: The Court orders that between now and the previously set 01/25/2016 hearing, visitation for Christina Williams shall be modified to every Friday at 6pm through Sunday at 6pm. The Court Investigator is to interview all parties, including the minor, and make a report and recommendation to the Court with regard to visitation and the conflicting stories. The Court orders that the minor shall have not contact with the boyfriend of Ms. Williams, Brandon Godbolt.	
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation	Declaration filed by Co-Guardian, Sharon Robles, on 01/04/2016 includes a Law Enforcement Report from the Fresno Police Department which states an altercation occurred on 11/17/2015 after the Court hearing. It states that Christina Williams, mother, pushed co-guardian Joe Robles.	
FTB Notice		

Reviewed by: LV
Reviewed on: 01/20/2016
Updates:
Recommendation:
File 13- Robles

Petitioner

Delgadillo, Yoana Alvarez (Pro Per – Mother – Petitioner)

Guardian

Soto, Leonarda (Pro Per – Paternal Grandmother – Guardian)

Probate Status Hearing RE: Visitation

	YOANA ALVAREZ DELGADILLO, Mother, filed a Petition for Termination of Guardianship on 8/24/15.	NEEDS/PROBLEMS/COMMENTS:
		Minute Order 11/30/15: The Court orders unsupervised visitation for Yoana Delgadillo every Saturday from 10am to 2pm. Ms. Delgadillo is to pick the minor up at 10am and Leonarda Soto is to pick the minor up at 2pm. The Court Investigator is to re-interview Ms. Delgadillo, Ms. Soto, and the minor and make a recommendation as to the appropriateness of unsupervised visits and as to whether or not the time should be increased.
Cont. from 113015	At the hearing on 10/26/15, visitation was ordered and the matter was continued to 11/2/15. See Minute Order of 10/26/15 for details.	Court Investigator Dina Calvillo filed a supplemental report on 1/21/16.
Aff.Sub.Wit.		
Verified		
Inventory		
PTC	On 11/2/15, the petition was denied, and the Court ordered that supervised visitation continue on Tuesdays from 4-6pm at an agreed-upon location in Huron and on Fridays from 4-6pm at the McDonald's in Coalinga. The Court ordered Ms. Soto (Guardian) not to bring her other grandchildren to the visit.	
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.	The Court set this status hearing regarding the visitation.	
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: skc
		Reviewed on: 1/20/16
		Updates:
		Recommendation:
		File 14 - Soto

15A Willie Young (Estate)

Attorney: Sheryl D. Noel (for Administrator Howard Young)

Case No. 14CEPR00420

Probate Status Hearing Re: Filing of the First Account or Petition for Final Distribution

DOD: 6/17/13			<p>HOWARD YOUNG was appointed Administrator with limited IAEA and without bond.</p> <p>Letters issued on 9/5/14.</p> <p>Inventory and Appraisal filed on 2/13/15 showing the estate valued at \$150,000.00</p> <p>Minute order dated 7/14/14 set this status hearing re: filing of the first account or petition for final distribution.</p> <p>First account or petition for final distribution is now due.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need first account, petition for final distribution or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code</p>
Cont. from 091415, 111615, 010416				
<input type="checkbox"/>	Aff.Sub.Wit.	<input type="checkbox"/>		
<input type="checkbox"/>	Verified	<input type="checkbox"/>		
<input type="checkbox"/>	Inventory	<input type="checkbox"/>		
<input type="checkbox"/>	PTC	<input type="checkbox"/>		
<input type="checkbox"/>	Not.Cred.	<input type="checkbox"/>		
<input type="checkbox"/>	Notice of Hrg	<input type="checkbox"/>		
<input type="checkbox"/>	Aff.Mail	<input type="checkbox"/>		
<input type="checkbox"/>	Aff.Pub.	<input type="checkbox"/>		
<input type="checkbox"/>	Sp.Ntc.	<input type="checkbox"/>		
<input type="checkbox"/>	Pers.Serv.	<input type="checkbox"/>		
<input type="checkbox"/>	Conf. Screen	<input type="checkbox"/>		
<input type="checkbox"/>	Letters	<input type="checkbox"/>		
<input type="checkbox"/>	Duties/Supp	<input type="checkbox"/>		
<input type="checkbox"/>	Objections	<input type="checkbox"/>		
<input type="checkbox"/>	Video Receipt	<input type="checkbox"/>		
<input type="checkbox"/>	CI Report	<input type="checkbox"/>		
<input type="checkbox"/>	9202	<input type="checkbox"/>		
<input type="checkbox"/>	Order	<input type="checkbox"/>		
<input type="checkbox"/>	Aff. Posting	<input type="checkbox"/>		
<input type="checkbox"/>	Status Rpt	<input type="checkbox"/>		
<input type="checkbox"/>	UCCJEA	<input type="checkbox"/>		
<input type="checkbox"/>	Citation	<input type="checkbox"/>		
<input type="checkbox"/>	FTB Notice	<input type="checkbox"/>		
			<p>Reviewed by: KT</p> <p>Reviewed on: 1/21/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 15A – Young</p>	

15A

Report of Sale and Petition for Order Confirming Sale of Real Property

DOD: 6/17/13		HOWARD YOUNG , Administrator with limited IAEA authority, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Sale price - \$190,000.00	1. Petition does not address whether or not the funds will be bonded or blocked. Order marks the box for blocking but does not include the institution where the funds will be blocked. If bond is required it should be set at \$180,000.00. Note: If the petition is granted a status hearing will be set as follows: • Wednesday, March 2, 2016 at 9:00 a.m. in Department 303, for the filing of the bond or receipt for blocked account. Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.
		Overbid - \$200,000.00	
Cont. from 11/3/15		Reappraisal - \$190,000.00	
<input type="checkbox"/>	Aff.Sub.Wit.	Property - 321 S. 38 th Street, Richmond, CA	
<input checked="" type="checkbox"/>	Verified	Publication - West County Times	
<input type="checkbox"/>	Inventory	Buyers - Aslan Residential I, LLC	
<input type="checkbox"/>	PTC	Broker - \$11,500.00 (6% - 3.5% payable to Realty World One Alliance and 2.5% to Genesis Realty.	
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail W/		
<input checked="" type="checkbox"/>	Aff.Pub.		
<input checked="" type="checkbox"/>	Sp.Ntc. W/		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input checked="" type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: KT
			Reviewed on: 1/21/16
			Updates:
			Recommendation:
			File 11 – Young

Attorney Lawson K. Renge (for Administrator Ryan Missakian)

Order to Show Cause Re: Failure to Appear and Failure to File the First or Final Account

DOD: 10/3/2013	RYAN MISSAKIAN, son, was appointed Administrator with Full IAEA without bond.	NEEDS/PROBLEMS/COMMENTS: OFF CALENDAR Per Minute Order dated 1/21/2016
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed on: 1/22/16
		Updates:
		Recommendation:
		File 16- Missakian

Probate Status Hearing RE: Balance of Monies and Amount to be Distributed

DOD: 4/28/89	<p>FREMONT GRAVES, Son-in-law, was appointed as Special Administrator on 8/27/14 with authorization to obtain a settlement check from the Black Farmers' Discrimination Litigation Claims Administrator and deposit same into a blocked account (\$62,500.00, later determined to be \$50,00.00)</p> <p>Mr. Graves was removed at the status hearing on 2/2/15 and the FRESNO COUNTY PUBLIC ADMINISTRATOR was appointed Special Administrator.</p> <p>At the hearing on 4/27/15, Mr. Graves represented to the Court that he has a cashier's check in the amount of \$35,000.00 in his possession. The Court ordered Mr. Graves to deliver said check to the Public Administrator's office.</p> <p>Mr. Graves filed a declaration on 7/8/15. See declaration for details.</p> <p>Per Minute Order 7/13/15, Ms. Kruthers states that the Public Administrator sees no point for surcharge of Mr. Graves, and requests six months to report at that time how much has been spent down.</p> <p>Status Report filed 1/6/16 states the estate currently has \$13,464.20. Rather than make a distribution to a conservator, which would likely not be Fremont Graves, the PA has made monthly distributions to the beneficiary to pay ongoing bills. Once the money was spent, the PA will file an account, request for fees, and a petition to close the estate. Monthly payments are \$2,560. The above balance includes the payment already made for January.</p> <p>The PA and County Counsel anticipate the fees and costs of administration to be approx. \$3,000.00, which leaves about \$10,000 for distribution. Therefore, the PA estimates filing a final account within the next four months. The PA respectfully requests that the next status hearing not be set before 4/25/16.</p>	NEEDS/PROBLEMS/COMMENTS:
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

Reviewed by: skc

Reviewed on: 1/20/16

Updates:

Recommendation:

File 17- Logan

Attorney

Fanucchi, Edward L. (for Executor Andrew Quercia)

First and Final Account and Report of Executor and Petition for Its Settlement, for Allowance of Compensation to Executor and Attorney for Ordinary and Extraordinary Services, for Reimbursements of Costs Advanced and for Final Distribution

DOD: 6/22/14	ANDREW QUERCIA , Son and Executor with Full IAEA without bond, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: <p align="center"><u>SEE PAGE 2</u></p>
	Account period: 6/23/14 – 11/17/15	
	Accounting: \$298,922.88	
	Beginning POH: \$247,731.64	
	Ending POH: \$226,414.03	
	(\$221,764.24 cash plus Unlawful Detainer Judgment in 14CECL08401 in the amount of \$4,649.79)	
<input type="checkbox"/> Aff.Sub.Wit.	Petitioner states he took the following actions after notice of proposed action:	
<input checked="" type="checkbox"/> Verified	<ul style="list-style-type: none"> • Distribution of specific cash bequests • Sale of real property (\$25,000 gain on sale) • Preliminary cash distribution of \$5,000 each to beneficiaries Andrew Quercia and Maurice Quercia 	
<input checked="" type="checkbox"/> Inventory		
<input checked="" type="checkbox"/> PTC		
<input checked="" type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.	Executor (Statutory): \$8,978.46	
<input type="checkbox"/> Conf. Screen	Attorney (Statutory): \$8,978.46	
<input checked="" type="checkbox"/> Letters	Attorney (Extraordinary): \$2,995.00 (for attorney and paralegal time in connection with the sale of the real property as itemized in Exhibit D.	
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt	Attorney (Other): \$7,529.40 (paid)	
<input type="checkbox"/> CI Report	Petitioner states that prior to the decedent's death, the decedent had hired Quinlan, Kershaw & Fanucchi LLP to handle all legal issues dealing with the rental property of the estate and the firm continued to handle all legal matters relating to the rental property throughout the administration of the estate, as well as the general financial maintenance on the properties until appointment of the executor. There were several matters that required legal attention with the tenants including unlawful detainer actions, three-day notices, and misc. tasks requiring tenant contact. Pursuant to billing statement attached at Exhibit B, the firm was paid \$7,529.40 for these legal services.	
<input checked="" type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting	Costs: \$906.00 (filing, publication, certified copies)	
<input type="checkbox"/> Status Rpt	Closing: \$1,500.00	
<input type="checkbox"/> UCCJEA	Distribution pursuant to Decedent's will:	
<input type="checkbox"/> Citation	Andrew Quercia: \$99,203.16 plus a 50% interest in the UD Judgment	
<input checked="" type="checkbox"/> FTB Notice	Maurice Quercia: \$99,203.16 plus a 50% interest in the UD Judgment	
		Reviewed by: skc Reviewed on: 1/20/16 Updates: Recommendation: File 18- Quercia

Page 2 – NEEDS/PROBLEMS/COMMENTS:

1. Petitioner's original I&A filed 12/29/14 indicated a date of death balance in the decedent's account at Bank of America of \$59,469.46. After filing this accounting, Petitioner filed an Amended I&A that revised Attachment 1 to indicate a date of death value in of \$57,731.64 at Bank of the West. The Court may require clarification regarding the revision, with reference to the \$1,737.82 difference and the different bank account.
2. Two of the specific bequest beneficiaries reside in Italy. It does not appear that notice to the consulate was given when the estate was opened pursuant to Probate Code §8113. Therefore, need clarification as to whether Giuseppina Loconsolo and Andrea Monterisi of Italy, who both receive \$2,000.00 specific bequests under the will, are citizens of Italy and if so, need notice of the distributions to the consulate pursuant to §8113.
3. Need receipt for distribution of the specific bequest of \$2,000.00 from Andrea Monterisi.
4. Petitioner distributed the \$1,000.00 specific bequest of post-deceased heir Jean Kay Quercia (Gina Quercia in the will) to her husband Joseph Quercia pursuant to the terms of her will. Need declaration from Joseph Quercia pursuant to Probate Code §13100 for this distribution.
5. Need date of death of Andrea Colaianni, who was to receive a specific bequest under the will. (This information was not provided when the estate was opened.)
6. Need consent of Maurice Quercia to receipt of an undivided one-half interest in the judgment pursuant to Local Rule 7.12.3.
7. Exhibit D re extraordinary legal services in connection with the sale of the real property provides itemization but does not contain a declaration pursuant to Cal Rules of Court 7.702, 7.703. The itemization also does not, but should, contain totals and breakdown for attorney/ paralegal hours and rates. Need further information.
8. The statutory fee base includes refunds from amounts paid by the estate per the distributions schedule, including refunds from Blue Shield, AT&T, and Farmers Insurance totaling \$2,240.89. The Court may require recalculation, as such refunds are not considered "receipts" for this purpose.
9. Need clarification re the \$7,529.40 paid by the estate to the attorney in connection with the rental property with reference to Cal. Rule of Court 7.700 (compensation in advance of Court order). Although the attorney may have been hired by the decedent prior to her death for certain services, the services billed and paid by the estate all occurred after her death and as such should have been treated as extraordinary services to the estate under the Probate Code, Cal. Rules of Court, and Local Rules, which requires petition, review, and authorization prior to payment.

Attorney Baldwin, Kenneth A.; Cunningham, Nicole; of McCormick Barstow (for Petitioners Seanna Haslouer and Amy Haslouer Hansen)

Attorney Burnside, Leigh W.; Johnson, Summer A.; of Dowling Aaron, Inc. (for Barbara Gill)

Probate Status Hearing Re: Resolution of Petition for Order to Return Property to Decedent's Estate

DOD: 10/25/2013		<p>SEANNA HASLOUER and AMY HASLOUER HANSEN, grandchildren and Beneficiaries, filed on 9/26/2014 a <i>Petition for Order to Return Property to Decedent's Estate</i>, seeking the return of specific items of personal property, and the distribution to the Petitioners as the specific devisees certain items of personal property, including jewelry.</p> <p>BARBARA GILL (caregiver) filed a <i>Demurrer to Petition for Order to Return Property to Decedent's Estate</i>; <i>Memorandum of Points and Authorities</i> on 11/6/2014.</p> <p>Order on Demurrer filed 4/9/2015 overruled the demurrer.</p> <p>Status Declaration of Leigh W. Burnside on 1/21/2016 states:</p> <ul style="list-style-type: none"> This matter settled in September 2015 with all of the parties signing a written <i>Settlement and Mutual Release Agreement [on or about 9/14/2015]</i>, which contemplated that BARBARA GILL, the former attorney-in-fact for the Decedent and the Trustee of the EVELYN AZARIAN LIVING TRUST, would distribute to Petitioners certain personal property contained in the urn holding the cremains of the Decedent and her husband, ALBERT AZARIAN; Additionally, the settlement contemplated that Ms. Gill would bring the administration of the Trust to a close and make final distribution of the assets to Petitioners, the sole remainder beneficiaries; Following execution of the settlement, Petitioners collected the personal property – namely jewelry – from the cremains of the Decedent and Dr. Azarian, and the urn was returned to the niche at Chapel of the Light; Additionally, Ms. Gill distributed the bulk of the EVELYN AZARIAN LIVING TRUST assets to Petitioners in early October 2015; In late December 2015, Ms. Gill distributed the balance of the assets in the Trust to Petitioners, after paying the final expenses of the Trust; Ms. Gill will be providing Petitioners' counsel with copies of the December 2015 bank statements for the Trust accounts to show the expenses that she paid prior to distributing the remaining cash to Petitioners; Upon presentation of the statements, Ms. Burnside anticipates that Petitioners' counsel will file a request for dismissal of the proceeding and this matter will be concluded. 	<p>NEEDS/ PROBLEMS/ COMMENTS:</p> <p>Continued from 11/16/2015.</p> <p>Minute Order states Ms. Burnside anticipates that distribution will occur by the end of the year, and a dismissal will follow. Should the dismissal be filed, then no appearance is necessary on 1/25/2016.</p>	
Cont. from 012715, 111615				
<input type="checkbox"/>	Aff.Sub.Wit.			
✓	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input type="checkbox"/>	Notice of Hrg			
✓	Aff.Mail			W /
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
		<p>Reviewed by: LEG</p> <p>Reviewed on: 1/21/16</p> <p>Updates: 1/22/16</p> <p>Recommendation</p> <p>File 19 - Azarian</p>		

**First and Final Report of Personal Representative & Petition for Final Distribution on:
Account; Waiver of Fees; Payment of Costs/Reimbursements**

DOD: 10/16/14	DEBORA A. CAVANAUGH , Executor, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: Need Amended Accounting, based on, but not limited to the following: <p align="center">SEE PAGE 2</p>
	Accounting period: 10/16/14 – 11/13/15	
Cont. from	Accounting: Need	
<input type="checkbox"/> Aff.Sub.Wit.	Beginning POH: Not stated (\$168,140 from I & A)	
<input checked="" type="checkbox"/> Verified	Ending POH: \$105,264.72	
<input type="checkbox"/> Inventory	Administrator: not addressed	
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg	Distribution, pursuant to decedents will, is to:	
<input type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.	Terry Brewer: \$33,683.70	
<input type="checkbox"/> Sp.Ntc.	Debora Cavanaugh: \$33,683.70	
<input type="checkbox"/> Pers.Serv.	Alicia Jellsey: \$16,841.85	
<input type="checkbox"/> Conf. Screen	Heather Schaefer: \$16,841.85	
<input type="checkbox"/> Letters 04/30/15		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input checked="" type="checkbox"/> 9202		
<input type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input checked="" type="checkbox"/> FTB Notice		
		Reviewed by: JF
		Reviewed on: 01/21/16
		Updates:
		Recommendation:
		File 20- Brewer

Needs/Problems/Comments:

1. There is no accounting presented in the Petition. See form GC-400(SUM)/GC-405(SUM) for example of how an accounting should be formatted. The entire estate should be accounted for, starting with the property on hand at the time of death and ending with the property on hand at the end of the account period. Receipts and Disbursements should be itemized. See Probate Code § 1060.
2. Petitioner was appointed Executor with limited IAEA authority, therefore any sales of real property are to be approved by the Court prior to the sale being completed. It appears the real property asset of the estate was sold during the administration of the estate without a Court Order and without Notice of Proposed Action to the beneficiaries as required by Probate Code § 10510. No information is provide in the Petition concerning reappraisal of the property prior to sale. The Inventory & Appraisal filed 06/25/15 stated that the date of death value of the property was \$165,000.00. The Court may require more information regarding the sale of the property, whether the property was reappraised for sale. Gains or losses on the sale should be accounted for in the accounting. The Court may require notice to the Executor's bonding company regarding possible surcharge.
3. Item 30 of the Accounting lists "Reimbursement Costs" as \$4,213.63. It is unclear what these reimbursement costs are for and to whom they are to be paid. Any costs of administration should be itemized. **Note:** Attaching receipts is not sufficient, need itemized list of expenses.
4. The Petition indicates that beneficiary Donnie Brewer owes a debt of \$52,563.45 to the estate and requests that his portion of the estate be distributed to the other beneficiaries according to the will. Petitioner does not provide evidence of this debt (a promissory note/IOU contract, etc.) but states that a loan decedent took out on her property was for the benefit of Donnie Brewer and it is everyone's understanding that it his obligation to re-pay. The loan was paid in full upon the sale of the real property. Petitioner requests that Donnie Brewer's portion of the estate be distributed to the other beneficiaries as partial repayment of the debt and that the remaining balance Donnie Brewer owes to the estate be forgiven due to the amount of time he spent caring of the decedent prior to her death for which he was not paid. Petitioner has filed consents to forgiving the remaining balance owed by all of the other beneficiaries except Terry Brewer. The Court may require more information and/or authority for this arrangement.
5. Need *Notice of Hearing* (form DE-120) and proof of service by mail at least 15 days before the hearing of *Notice of Hearing* to all interested parties/beneficiaries.
6. Need Order. Refer to Local Rule 7.6.1 for form of orders.

Probate Status Hearing

RE: Filing of the Inventory and Appraisal

DOD: 12/17/14		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>OFF CALENDAR</u> Final I&A filed 1/19/16</p>
Cont. from 091615, 111615		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: skc
		Reviewed on: 1/20/16
		Updates:
		Recommendation:
		File 21 - Soley

Attorney Barry E. Weber (for Petitioner Barbara Arnold)

Petition for Final Distribution on Waiver of Accounting and Allowance of Statutory Commissions

DOD: 2/28/2013		BARBARA ARNOLD , sister and Administrator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Accounting is waived.	OFF CALENDAR
Cont. from 111615		I & A — \$200,000.00	<p>Amended Petition for Final Distribution on Waiver of Accounting was filed 12/23/2016 and is set for hearing on 2/11/2016.</p> <ol style="list-style-type: none"> <i>Petition states specific notice of administration under Probate Code § 9050 was not required. Probate Code § 9050 provides notice shall be given, and it does not appear that the exceptions provided in Probate Code § 9054 apply.</i> <i>Petition states notice to the Franchise Tax Board was not required. Probate Code § 9202(c)(1) provides not later than 90 days after the date letters are first issued to a general personal representative, the general personal representative or estate attorney shall give the Franchise Tax Board notice of administration of the estate. Letters issued to Petitioner on 5/27/2015. Need proof of service of notice to the Franchise Tax Board pursuant to Probate Code 9202(c)(1), as there is no exception to this requirement.</i> <p>~Please see additional page~</p>
<input type="checkbox"/>	Aff.Sub.Wit.	POH — \$200,000.00	
<input checked="" type="checkbox"/>	Verified	(no cash; ¼ interest in real property)	
<input checked="" type="checkbox"/>	Inventory	Administrator — \$7,000.00 (statutory)	
<input type="checkbox"/>	PTC	<input checked="" type="checkbox"/>	
<input type="checkbox"/>	Not.Cred.	<input checked="" type="checkbox"/>	
<input checked="" type="checkbox"/>	Notice of Hrg	Attorney — \$7,000.00 (statutory)	
<input checked="" type="checkbox"/>	Aff.Mail	<input checked="" type="checkbox"/> W / <input type="checkbox"/> O	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters	052715	
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice	<input checked="" type="checkbox"/>	

NEEDS/PROBLEMS/COMMENTS, continued:

3. Notice was sent to Julie Conroy "c/o" Petitioner Barbara Arnold. Direct notice is required, even if the notice recipient is under conservatorship, pursuant to CA Rule of Court 7.51 (c), unless dispensed with by the Court.
4. Decedent's sister, Julie Conroy, is conserved under the Conservatorship of the Person of Julie Conroy, which was established in Fresno in 1982, and was transferred to Merced County on 2/2/2015, to Merced County Case 15PR-00054. *Waiver of Accounting* attached to the *Petition for Final Distribution* filed 10/13/2015 is signed by Petitioner Barbara Arnold as Conservator of Julie Conroy. Petition does not but should inform this Court regarding the existing Conservatorship, providing notification of whether a Conservatorship of the Estate of Julie Conroy exists in Merced County, and should address the protection of Conservatee Julie Conroy's distributive interest from the instant estate, consisting of $\frac{1}{2}$ of Decedent's $\frac{1}{4}$ interest in the real property. Need additional information, proof of a conservatorship of the estate, and/or a revised proposed distribution which includes the distribution of the interest of Julie Conroy to an established conservatorship estate case in Merced County.
5. *Waiver of Accounting* attached to the *Petition for Final Distribution* filed 10/13/2015 is signed by Petitioner Barbara Arnold as Conservator of Julie Conroy. Court may require authority for waiver of an accounting by the Conservator on behalf of the Conservatee, or may require appointment of an independent party or attorney to represent the interests of the Conservatee, Julie Conroy.
6. Pursuant to Local Rule 7.12.4, the Court will not order distribution of real property in undivided interests without the written consent of all distributees. Need written consent of Conservatee Linda Conroy.
7. *Exhibit A* indicates the estate consists of a $\frac{1}{4}$ interest in a 40-acre parcel of land in Madera County. *Petition* does not but should address the method of payment of the statutory commissions and attorney fees since there is no cash on hand in the estate.

Probate Status Hearing

RE: Filing of the Inventory and Appraisal

	KENNETH A. KEARNS was appointed Conservator of the Person and Estate on 9/24/15 with bond of \$95,415.10.	NEEDS/PROBLEMS/COMMENTS:
		Note: The First and Final Account of the Public Guardian as Temporary Conservator is set for hearing on 2/1/16.
	Bond was filed 10/27/15 and Letters issued on 10/27/15.	1. Need Final Inventory and Appraisal pursuant to Probate Code §2610 or written status report pursuant to Local Rule 7.5.
Aff.Sub.Wit.	At the hearing on 9/24/15, the Court set this status hearing for the filing of the Inventory and Appraisal.	
Verified		
Inventory		
PTC		
Not.Cred.	Partial I&A No. 1 was filed 11/16/15.	
Notice of Hrg	A Final I&A has not yet been filed.	
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: skc
		Reviewed on: 1/20/16
		Updates:
		Recommendation:
		File 23- Walters

24 Precious Valdez, Bernardo Valdez, JR, Bella Valdez (GUARD/P)
Case No. 15CEPR00848

Petitioner: Marcelina Cedillo (pro per)

Objector: Jessica Medina (pro per)

Petition for Appointment of Guardian of the Person

		Temporary Expires 1/25/16.	NEEDS/PROBLEMS/COMMENTS:
		MARCELINA A. CEDILLO , paternal grandmother, is petitioner.	Continued from 12/14/15. As of 1/20/16 the following issues remain:
		Please see petition for details.	
Cont. from 110215, 121415		Court Investigator Report filed on 10/27/15	<ol style="list-style-type: none"> 1. Notice of Hearing is incomplete. The caption area is blank and should include the names of the minors. #1 of the Notice of Hearing lists the mother, Jessica Medina as the filing party and it should list the name of the petitioner. 2. Need proof of service of the Notice of Hearing along with a copy of the petition or Consent and Waiver of Notice or Declaration of Due Diligence on: <ol style="list-style-type: none"> a. Robert Valdez (paternal grandfather) b. Michael Medina (maternal grandfather) c. Kathy Noriega (maternal grandmother) d. Michelle Gomez (sister, age 17) e. Stephanie (last name not listed) (sibling age 14) <p>For Objector:</p> <ol style="list-style-type: none"> 1. Objections did not include a proof of services showing they were served on all interested parties.
<input checked="" type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
	Inventory		
	PTC		
	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
	Aff.Mail	X	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.	X	
<input checked="" type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input checked="" type="checkbox"/>	Objections		
	Video Receipt		
<input checked="" type="checkbox"/>	CI Report		
	9202		
<input checked="" type="checkbox"/>	Order		
	Aff. Posting		
	Status Rpt		
<input checked="" type="checkbox"/>	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: KT
			Reviewed on: 1/20/16
			Updates:
			Recommendation:
			File 24 – Valdez

25 Barbara Ann Bell (Estate)**Case No. 15CEPR00901****Attorney: Alan D. Khalfin (for Petitioner Constance Bell-Brooks)****Amended for Probate of Will of Letters Testamentary with IAEA**

DOD: 7/7/15	CONSTANCE BELL-BROOKS , named co-executor without bond, is petitioner.		NEEDS/PROBLEMS/COMMENTS: 1. Proposed personal representative is a resident of Oregon. Probate Code 8571 states notwithstanding a waiver of bond, the court in its discretion may require a nonresident personal representative to give a bond in an amount determined by the court. Note: If the petition is granted, status hearings will be set as follows: <ul style="list-style-type: none"> Wednesday, March 2, 2016 at 9:00 a.m. in Department 303, for the filing of the bond, if required. Wednesday, June 29, 2016 at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal. Wednesday, March 29, 2017 at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution. Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.
Cont. from 113015	Petitioner states she has confirmed that the other named co-executor, Randy Bell does not intend to pursue a probate petition.		
<input type="checkbox"/> Aff.Sub.Wit.			
<input checked="" type="checkbox"/> Verified			
<input type="checkbox"/> Inventory	Full IAEA – o.k.		
<input type="checkbox"/> PTC			
<input type="checkbox"/> Not.Cred.	Will dated: 4/9/11		
<input type="checkbox"/> Notice of Hrg	Residence: Clovis Publication: Fresno Business Journal		
<input checked="" type="checkbox"/> Aff.Mail	<input type="checkbox"/> W/		Estimated value of the Estate: Personal property \$ 13,500.00 Real property \$350,000.00 Total \$363,500.00 Probate Referee: Rick Smith Objections of Randy Bell to Petition for Probate by Constance Bell-Brooks filed on 10/6/15. Objector states his objection is based primarily on petitioner's failure to comply with the Will wherein both he and petitioner are to act as co-executors of the estate. At this time, petitioner is proceeding as sole executor. As such, under separate cover, Mr. Bell states he will be filing a competing petition naming himself as sol executor. Note: As of 1/20/16 a competing petition has not been filed.
<input checked="" type="checkbox"/> Aff.Pub.			
<input type="checkbox"/> Sp.Ntc.			
<input type="checkbox"/> Pers.Serv.			
<input type="checkbox"/> Conf. Screen			
<input checked="" type="checkbox"/> Letters			
<input checked="" type="checkbox"/> Duties/Supp			
<input type="checkbox"/> Objections			
<input type="checkbox"/> Video Receipt			
<input type="checkbox"/> CI Report			
<input type="checkbox"/> 9202			Reviewed by: KT Reviewed on: 1/21/16 Updates: Recommendation: File 25 - Bell
<input checked="" type="checkbox"/> Order			
<input type="checkbox"/> Aff. Posting			
<input type="checkbox"/> Status Rpt			
<input type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
<input type="checkbox"/> FTB Notice			

27 Kurt Dewayne Hudson (Estate) Case No. 15CEPR01024
Attorney Walters, Jennifer L. (for Robert Hudson and Mary Ann Hudson – Parents)
Order to Show Cause RE: Failure to Appear for Petition of Letters
of Administration; Authorization to Administer Under IAEA

DOD: 09/07/2015	ROBERT HUDSON , father, and MARY ANN HUDSON , mother, filed a petition for Letters of Administration on 10/15/2015.	NEEDS/PROBLEMS/COMMENTS:
Cont. from	Hearing was set for 11/16/2015.	
Aff.Sub.Wit.	Minute Order states: Counsel represents that all parties were notice, but the proof did not get filed when she was out of the office; requests a short continuance to get the proof filed.	
Verified		
Inventory		
PTC		
Not.Cred.	Matter was continued to 11/30/2015.	
Notice of Hrg	Minute Order of 11/30/2015 set this Order to Show Cause as there were no appearances.	
Aff.Mail	Minute Order states: No APPEARANCES – The Court issues an Order to Show Cause to Jennifer Walters as to why she should not be sanctioned for her failure to appear today. Ms. Walters and Petitioners, Robert and Mary Ann Hudson, are each ordered to be personally present in court on 01/25/2016.	
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections	Clerk's Certificate of Mailing indicates that Attorney Jennifer Walters and petitioners, Robert and Mary Ann Hudson were mailed a copy of the Minute Order dated 11/30/2015 on 12/01/2015.	
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: LV
		Reviewed on: 01/22/2016
		Updates:
		Recommendation:
		File 27- Hudson

Attorney Jensen, J. Wilmar (of Modesto, for Barbara P. Worrel – Petitioner)

Petition of Will and for Letters Testamentary. Authorization to Administer under IAEA

DOD: 8/5/15		BARBARA P. WORREL , Daughter and named Executor without bond, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. The will, created in the State of Washington, is not self-proving under California law. Pursuant to Probate Code §6113, the will is validly executed if the execution of the will complies with the law at the time of execution of the place where the will is executed. Therefore, need verification that the will is in compliance with Washington law pursuant to §6113. Alternatively, need Proof of Subscribing Witness pursuant to Probate Code §8220. Note: If the petition is granted, status hearings will be set as follows: <ul style="list-style-type: none"> Wednesday, June 29, 2016 at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal. Wednesday, March 29, 2017 at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution. Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.
		Full IAEA – ok	
		Will dated 8/4/10	
<input checked="" type="checkbox"/>	Aff.Sub.Wit.	x	
<input checked="" type="checkbox"/>	Verified		
	Inventory		
	PTC		
	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	w	
<input checked="" type="checkbox"/>	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
<input checked="" type="checkbox"/>	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
Reviewed by: skc			
Reviewed on: 1/21/16			
Updates:			
Recommendation:			
File 28- Griffin			

Petition for Appointment of Guardian of the Person

			See petition for details.	NEEDS/PROBLEMS/COMMENTS: 1. Court records indicate that this minor is currently a ward of the Juvenile Court. Therefore, the Probate Court does not have jurisdiction to make orders about this minor. Petitioner may wish to seek guardianship with the Juvenile Court. <u>If this petition goes forward:</u> 2. The UCCJEA, Form GC-120, is incomplete. Need minor's residence information since date of birth. 3. Need Notice of Hearing. 4. Need proof of personal service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing per Probate Code §1511 <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on: - Jose Hernandez (Father) - Angela Casares (Mother) 5. Need proof of service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing per Probate Code §1511 <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on: - Paternal Grandfather - Paternal Grandmother
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg	x		
	Aff.Mail	x		
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.	x		
✓	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			

Petition for Appointment of Guardian of the Person

See petition for details.			NEEDS/PROBLEMS/COMMENTS: 1. Need DSS Investigation Report pursuant to Probate Code §1513(a). 2. Both parents signed the "Nomination of Guardian," but did not sign the Consent and Waiver of Notice section of the form. Therefore, need personal service on both parents per Probate Code §1511 or consent and waiver of notice.
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	W	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.	X	
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
	DSS Report	X	
	Clearances	X	
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: skC
			Reviewed on: 1/21/16
			Updates:
			Recommendation:
			File 30- Farley

31 Gerald House (Det. Succ) Case No. 15CEPR01146
Attorney Lyon, Robirda M (for Dana House Trustee of Gerald House Family Trust – Petitioner)
Petition to Determine Succession to Real Property

DOD: 07/14/2005		DANA HOUSE, TRUSTEE OF THE GERALD HOUSE FAMILY TRUST , is petitioner.	NEEDS/PROBLEMS/COMMENTS:
		40 days since DOD	<u>OFF CALENDAR.</u> <u>Order Determining</u> <u>Succession to Real Property</u> <u>filed 01/05/2016.</u>
		No other proceedings	
Cont. from 010416		I&A - \$22,500.00	
<input type="checkbox"/>	Aff.Sub.Wit.	s/p	
<input type="checkbox"/>	Verified		
<input checked="" type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	w/	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: LV
			Reviewed on: 01/20/2016
			Updates:
			Recommendation:
			File 31- House

Ex Parte Petition for Letters of Special Administration

DOD: 6/21/15		GENERAL HEARING (PETITION FOR PROBATE OF WILL AND FOR LETTERS TESTAMENTARY): 2/17/16	NEEDS/PROBLEMS/COMMENTS:
		JOSEPH GERARD SANDOVAL , Sole Beneficiary, is Petitioner.	Note: This petition was filed ex parte 1/4/16. On 1/7/16, the Court set the matter for hearing and mailed Notice of Hearing Setting to Petitioner.
Cont. from		Petitioner requests appointment as Special Administrator with general powers and full authority under IAEA without bond.	SEE ADDITIONAL PAGES
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified	Full IAEA – Need publication	
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC	Holographic will dated 6/7/95 (Will devises entire estate to Petitioner.)	
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg	Residence: Fresno Publication: Need publication for IAEA	
<input type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.	Estimated Value of Estate: Personal property: \$10,000.00 Real property: \$230,000.00 (encumbered for \$185,000.00) Total: \$55,000.00	
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.	Probate Referee: Steven Diebert	
<input type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters	Petitioner states there are no other known beneficiaries, next of kin, or relatives to give notice to, and no significant burden or inconvenience to the adverse party will be likely to result from the orders sought herein.	
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections	Petitioner states Michael spent the final months of his life in and out of hospitals and spent a short time in a "nursing facility" called "New Hope House," run by Dearil White and Julianna Brantley, CEO, husband and wife.	
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report	Mr. White is claiming to have full authority and power of attorney to handle areas of Michael's estate. It was not until very recently that the will Michael had prepared was discovered. From the limited amount of information that Petitioner has been able to obtain, he knows that before Michael's death, during the time he was hospitalized, Dearil White and Julianna Brantley began to use and gain from Michael's estate including purchasing two cars under Michael's name, collecting Michael's CALSTRS in excess of \$7,000, collecting other life benefits and insurance money. Petitioner states he has always been Michael's sole beneficiary.	
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order	SEE ADDITIONAL PAGES	
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		Reviewed by: skc
<input type="checkbox"/>	UCCJEA		Reviewed on: 1/22/16
<input type="checkbox"/>	Citation		Updates:
<input type="checkbox"/>	FTB Notice		Recommendation: File 32- Watson

Page 2

Petitioner states Mr. White and Mrs. Brantley have treated Michael's real property as their own and have become landlords, collecting \$950/month for rent. The tenants' vehicle has resulted in fines in excess of \$1,000 and warnings have been ignored. Petitioner also learned that the tenants' pit bulls have been terrorizing the neighborhood and Petitioner received a letter from an attorney asking for compensation for Michael's neighbor for a cat mauling in the amount of \$3,000.

Additionally, Mr. White has added himself and has used Michael's Bank of America account and they have collected from a safety deposit box. They have opened credit cards, taken out loans, and have purchased merchandise using Michael's good name and credit. At the time of this writing, Michael's home is in foreclosure as Mr. White has not paid a dollar toward the mortgage, it is due to be put up for sale on 1/26/16. Petitioner states the amount to save the home is \$10,000, which he is prepared to pay.

Petitioner is asking the Court for full authority to take all steps necessary to save the home that he and the decedent shared and to protect and recover Michael's estate. Additionally, he is asking for full authority to be in a position to legally stop and file charges against Dearil White and Julianna Brantley and to probate Michael's estate in the legally required fashion and according to his wishes.

Exhibit A: Proof of mortgage default, planned sale date, reinstatement amount

Exhibit B: Administrative Citation from City of Fresno

Exhibit C: Letter from CALSTERS showing Petitioner as "primary"

Exhibit D: Items supporting fraud and theft allegations (applications, vehicle registrations, etc.)

NEEDS/PROBLEMS/COMMENTS:

1. **Petitioner requests general powers and full IAEA during special administration. Pursuant to Probate Code §8540, if the circumstances require immediate appointment of a personal representative, the court may appoint a special administrator to exercise any powers that may be appropriate for preservation of the estate for a specified term or to perform particular acts.**

General powers and authority under IAEA require publication for jurisdiction; therefore, need clarification regarding the particular acts Petitioner is requesting authority to perform as Special Administrator.

2. **The Court may require bond of \$55,000. Although Petitioner states he is the sole beneficiary, the will has not yet been proven or admitted to probate. (The petition for probate of will is scheduled for hearing on 2/17/16.)**

Note: For the general hearing on 2/17/16, Petitioner will need to file a typed copy of the holographic will pursuant to Probate Code §8002(b)(1), Proof of Holographic Instrument (Form DE-135) and/or Proof of Subscribing Witness (Form DE-135) pursuant to Probate Code §8220, proof of publication pursuant to Probate Code §8120, and the Court may require notice to other interested persons. A full review will be done prior to that hearing date.

Petition for Appointment of Temporary Guardian of the Person

See petition for details.			NEEDS/PROBLEMS/COMMENTS: 1. Need Notice of Hearing. 2. Need proof of personal service of Notice of Hearing with a copy of the Temp Petition at least five court days prior to the hearing <u>or</u> consent and waiver of notice <u>or</u> Declaration of Due Diligence on: - Gilbert Murrieta (Father) - Jessica Guzman (Mother)
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg	X	
	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.	X	
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: skc
			Reviewed on: 1/21/16
			Updates:
			Recommendation:
			File 33- Guzman